

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

REASONABLE LIMITS ON AMOUNTS FOR NECESSARY MEDICAL OR
REMEDIAL CARE NOT COVERED UNDER MEDICAID

The State projects non-covered medical expenses for six months.

TN.No. 91-08
Supersedes
TN No. 88-14

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AUGUST 1991

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

METHODS FOR TREATMENT OF INCOME THAT DIFFER FROM THOSE
OF THE SSI PROGRAM

(Section 1902(f) more restrictive methods and criteria and State supplement criteria in SSI criteria State without section 1634 agreements and in section 1902 (f) States. Use to reflect more liberal methods only if you limit to State supplement recipients. DO NOT USE this supplement to reflect more liberal policies that you elect under the authority of section 1902 (r) (2) of the Act. Use Supplement 8a for section 1902 (r)(2) methods.)

TN No. 94-36
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TN No. 93-16

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

MORE RESTRICTIVE METHODS OF TREATING RESOURCES THAN THOSE OF THE SSI
PROGRAM - Section 1902 (f) States only

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

METHODS FOR TREATMENT OF RESOURCES FOR INDIVIDUALS
WITH INCOMES RELATED TO FEDERAL POVERTY LEVELS

(Do not complete if you are electing more liberal methods under the authority of section 1902 (r)(2) of the Act instead of the authority specific to Federal poverty levels. Use Supplement 8b for section 1902(r)(2) methods.)

TN No. 92-01
Supersedes
TN No. 87-5

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HCFA ID: 7985E

State: North Carolina

Standards for Optional State Supplementary Payments

Payment Category Reasonable Classification	Administered by		Income Level				Income Disregards Employed
			<u>Gross</u>		<u>Net</u>		
	Federal	State	1 Person	Couple	1 Person	Couple	
Aged and Disabled Adult Care Home and Mental Health Facilities		X	\$1,692.00		\$1,112.00		For earned income, disregard the first \$65, subtract impairment related work expenses, and disregard one-half the remainder.
Blind Adult Care Homes		X	\$1,692.00		\$1,112.00		For earned income, disregard the first \$85. Plus one-half of the earned income in excess of \$85. From the remaining amount, deduct work expenses. \$20 is subtracted from total income.

TN No. 04-003
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TN No. 02-27Approval Date 04/16/04Effective Date 01/01/2004

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

INCOME LEVELS FOR 1902(f) STATES - CATEGORICALLY NEEDY
WHO ARE COVERED UNDER REQUIREMENTS MORE RESTRICTIVE THAN SSI

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

RESOURCE STANDARDS FOR 1902(f) STATES - CATEGORICALLY NEEDY

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

MORE LIBERAL METHODS OF TREATING INCOME UNDER
SECTION 1902(r)(2) OF THE ACT*

 Section 1902(f) State X Non-Section 1902 (f) State

1. PREGNANT WOMEN UNDER SECTION 1902 (1) OF THE ACT--
Methodologies less restrictive than AFDC.

In determining countable income, there is no deeming of parents income to the pregnant woman.

2. QUALIFIED CHILDREN UNDER AGE 19--
Methodologies less restrictive than AFDC.

In determining countable income, disregard the income difference by family size in the amount of the AFDC payment standard and 100% of the Federal Poverty Level (as revised annually in the Federal Register) plus \$1.

3. INFANTS UNDER ONE YEAR OF AGE DESCRIBED IN SECTION 1902(1)(1)(B) OF THE ACT
Methodologies less restrictive than AFDC.

In determining countable income, disregard the income difference by family size between 185% of the federal poverty level and 200% of the federal poverty level.

4. CHILDREN WHO HAVE ATTAINED ONE YEAR OF AGE BUT HAVE NOT ATTAINED 6 YEARS OF AGE DESCRIBED IN SECTION 1902(1)(1)(C) OF THE ACT
Methodologies less restrictive than AFDC.

In determining countable income, disregard the income difference by family size between 133% of the federal poverty level and 200% of the federal poverty level.

*More liberal methods may not result in exceeding gross income limitations under section 1903(f).

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Supplement 8A to Attachment 2.6-A
ADDENDUM

State Plan Under Title XIX of the Social Security Act

State: North Carolina

LESS RESTRICTIVE METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

X For all eligibility groups not subject to the limitations on payment explained in 1903(f) of the Act: All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.

*Less restrictive methods may not result in exceeding gross income limits under section 1903(f).

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

MORE LIBERAL METHODS OF TREATING RESOURCES

UNDER SECTION 1902(r)(2) OF THE ACT

_____ Section 1902(f) State

X Non-Section 1902(f) State

1. OPTIONAL CATEGORICALLY NEEDY DESCRIBED IN 1902(a)(10) (A) (ii) AND MEDICALLY NEEDY AGED, BLIND AND DISABLED INDIVIDUALS AND QUALIFIED MEDICARE BENEFICIARIES AND SPECIFIED LOW-INCOME MEDICARE BENEFICIARIES AND QUALIFYING INDIVIDUALS
Methodologies less restrictive than SSI.
 - a. The value of personal effects and-household goods are not counted.
 - b. The current market value for real property is the tax assessed value. The tax assessed value may be reduced if evidence is provided proving that the current market value is less than the tax assessed value.
 - c. For individuals not receiving optional State Supplements, the value of life estate interest in real property is not counted.
 - d. For individuals not receiving optional State Supplements, the value of tenancy in common interest in real property is not counted.
 - e. Value of burial plots are not counted.
 - f. The cash value of life insurance when the total face value of all cash value bearing life insurance policies does not exceed ten thousand dollars is not counted.
 - g. Up to \$12,000 of real property contiguous to the individual's principal place of residence when the individual has no ownership interest in his principal place of residence.
2. MEDICALLY NEEDY AGED, BLIND AND DISABLED INDIVIDUALS--
Methodologies less restrictive than SSI

Individuals with resources in excess of the resource limit at the first moment of the month may become eligible at the point that resources are reduced to the allowable limit.
3. CATEGORICALLY AND MEDICALLY NEEDY AFDC RELATED INDIVIDUALS
Methodologies less restrictive than AFDC
 - a. The value of real property is not counted.
 - b. The value of one vehicle per adult is not counted.
 - c. The value of trusts funds, burial contracts and retirement accounts is not counted.

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MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(R)(2) OF THE ACT

SECTION 1902(f) State X Non-Section 1902(f) State

4. QUALIFIED CHILDREN UNDER AGE 19

All resources are excluded

5. MEDICALLY NEEDY AFDC RELATED INDIVIDUALS

Methodologies less restrictive than AFDC

Disregards otherwise countable assets in the following amounts:

Family Size	Amount
1	1500
2	750
3	650
4	550
5	450
6	350
7	250
8	150
9	50
10	0

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FEBRUARY 1985

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

TRANSFER OF RESOURCES

1902(f) and 1917
of the Act

- A. The agency provides for nursing facility
or equivalent services as specified in
Section 1917 (c) of the Social Security Act.

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FEBRUARY 1985

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- B. An institutionalized individual who (or whose spouse) transfers resources for less than the fair market value shall not be found ineligible for nursing facility services, for a level of care in a medical institution equivalent to that of a nursing facility services, or for home and community-based services where the State determines that denial of eligibility would work undue hardship under the provision of Section 1917 (c) (2) (D) of the Social Security Act.
- C. A non-institutionalized individual who (or whose spouse) transfers resources for less than the fair market value shall not be found ineligible for in-home health services and supplies where the State determines that denial of eligibility would work undue hardship under the provision of Section 1917(c)(2)(D) of the Social Security Act.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

TRANSFER OF ASSETS

1917(c) The agency provides for the denial of certain Medicaid services by reason of disposal of assets for less than fair market value.

1. Institutionalized individuals may be denied certain Medicaid services upon disposing of assets for less than fair market value on or after the look-back date.

The agency withholds payment to institutionalized individuals for the following services:

Payments based on a level of care in a nursing facility;

Payments based on a nursing facility level of care in a medical institution;

Home and community-based services under a 1915 waiver.

2. Non-institutionalized individuals:

- X The agency applies these provisions to the following non-institutionalized eligibility groups. These groups can be no more restrictive than those set forth in section 1905 (a) of the Social Security Act:

Aged, Blind, Disabled (categorically needy and medically needy) (42 CFR 435.120) and Qualified Medicare Beneficiaries described in 1905(p)(1). It does not apply to optional State Supplements (42 CFR 435.130).

The agency withholds payment to non-institutionalized individuals for the following services:

- X Home health services (section 1905(a)(7));

Home and community care for functionally disabled and elderly adults (section 1905(a)(22));

- X Personal care services furnished to individuals who are not inpatients in certain medical institutions, as recognized under agency law and specified in section 1905(a)(24).

The following other long-term care services for which medical assistance is otherwise under the agency plan:

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March 1995

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TRANSFER OF ASSETS

3. Penalty Date—The beginning date of each penalty period imposed for an uncompensated transfer of assets is:

x the first day of the month in which the asset was transferred;

 the first day of the month following the month of transfer.

4. Penalty Period - Institutionalized Individuals—

In determining the penalty for an institutionalized individual, the agency uses:

x the average monthly cost to a private patient of nursing facility services in the agency;

 the average monthly cost to a private patient of nursing facility services in the community in which the individual is institutionalized.

5. Penalty Period Non-institutionalized Individuals--

The agency imposes a penalty period determined by using the same method as is used for an institutionalized individual, including the use of the average monthly cost of nursing facility services;

 imposes a shorter penalty than would be imposed for institutionalized individuals, as outlined below:

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MARCH 1995

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TRANSFER ASSETS

6. Penalty period for amounts of transfer less than cost of nursing facility care—

- a. Where the amount of the transfer is less than the monthly cost of nursing facility care, the agency:

X does not impose a penalty;

_____ imposes a penalty for less than a full month, based on the proportion of the agency's private nursing facility rate that was transferred.

- b. Where an individual makes a series of transfers, each less than the private nursing facility rate for a month, the agency:

X does not impose a penalty;

_____ Imposes a series of penalties, each for less than a full month.

7. Transfer made so that penalty periods would overlap—
The agency:

X totals the value of all assets transferred to produce a single penalty period;

_____ calculates the individual penalty periods and impose them sequentially.

8. Transfers made so that penalty periods would not overlap—
The agency:

X assigns each transfer its own penalty period;

_____ uses the method outlined below:

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State: North Carolina

TRANSFER ASSETS

9. Penalty periods - transfer by a spouse that results in a penalty period for the individual-

- (a) The agency apportions any existing penalty period between the spouses using the method outlined below, provided the spouse is eligible for Medicaid. A penalty can be assessed against the spouse, and some portion of the penalty against the individual remains.

When both spouses are institutionalized the penalty period is divided equally between the spouses.

When both spouses are non-institutionalized the penalty period is divided equally between the spouses.

- (b) If one spouse is no longer subject to a penalty, the remaining penalty period must be served by the remaining spouse.

10. Treatment of income as an asset--When income has been transferred as a lump sum, the agency will calculate the penalty period on the lump sum value.

 The agency will impose partial month penalty periods.

When a stream of income or the right to a stream of income has been transferred, the agency will impose a penalty period for each income payment.

 For transfers of individual income payments, the agency will impose partial month penalty periods.

 For transfers of the right to an income stream, the agency will use the actuarial value of all payments transferred.

 X The agency uses an alternate method to calculate penalty periods, as described below:

The agency adds each income payment and imposes a full month penalty the first day of the month in which income transferred equals the average monthly cost of nursing facility services.

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MARCH 1995

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State: North Carolina

TRANSFER ASSETS

11. Imposition of penalty would work an undue hardship--
The agency does not apply the transfer of assets provisions in any case in which the agency determines that such an application would work an undue hardship.

The following criteria will be used to determine whether the agency will not count assets transferred because the penalty would work an undue hardship:

When application of transfer of assets provisions would deprive an individual of medical care such that his health or life would be endangered or deprive individual of food, clothing, shelter, or other necessities of life.

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DEC 17 1986

DEFINITION OF BLINDNESS

An individual shall be considered to be blind if he has central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less. An individual shall also be considered to be blind as defined under the State Plan approved under Title XVI as in effect for October 1972 and received aid under such plan (on the basis of blindness) for December 1973, so long as he is continuously blind as so defined.

DEFINITION OF DISABILITY

Disability is inability to engage in any substantial gainful activity due to a medically determinable physical or mental impairment that can be expected to result in death, or has lasted, or can be expected to last 12 months or longer. An individual shall also be considered to be disabled if he is permanently and totally disabled as defined under the State Plan approved under Title XVI as in effect for October 1972 and received aid under such plan (on the basis of blindness) for December 1973, so long as he is continuously blind as so defined.

Neither of the above definitions is more liberal than the SSI definitions for the condition.

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